

Amendment to the claims:

Please add the following new claims

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I ~~146~~ A method for manufacturing an emulsion skin care composition that comprises a water phase, an oil phase, a retinoid selected from the group consisting of Vitamin A alcohol, Vitamin A aldehyde, retinyl acetate, retinyl palmitate and mixtures thereof, and a stabilizing system selected from the group consisting of:

- (i) a stabilizing system comprising a chelating agent and at least one water-soluble antioxidant,
- (ii) a stabilizing system comprising a chelating agent and at least one oil-soluble antioxidant, and
- (iii) a stabilizing system comprising at least one water-soluble antioxidant and at least one oil-soluble antioxidant, said method, comprising the steps of:
- (1) preparing the oil phase including oil-soluble components of the stabilizing system;
- (2) preparing the water phase including water-soluble components of the stabilizing system;
- (3) combining the oil phase and the water phase to form an emulsion; and
- (4) adding said retinoid to said emulsion in the presence of an oxygen depleted atmosphere to produce an emulsion skin care composition that comprises an oil phase, a water phase, a retinoid and a stabilizing system.
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~~147~~ 16 The method of claim ~~146~~, wherein one or more of steps (1), (2) and (3) are performed in an oxygen depleted atmosphere.

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~~148~~ 16 The method of claim ~~146~~, wherein each of steps (1), (2) and (3) are performed in an oxygen depleted atmosphere.

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~~149~~ 16 The method of claim ~~146~~, wherein the retinoid is retinol.

~~150.~~ <sup>16</sup> The method of claim ~~146~~, wherein the oxygen depleted atmosphere is obtained by operating under vacuum conditions.

~~151.~~ <sup>16</sup> The method of claim ~~146~~, wherein the oxygen depleted atmosphere comprises argon or nitrogen.

~~152.~~ <sup>16</sup> The method of claim ~~146~~, wherein the oxygen depleted atmosphere comprises argon.

~~153.~~ <sup>16</sup> The method of claim ~~146~~, wherein the retinoid is added to the emulsion in the absence of ultraviolet light.

~~154.~~ <sup>16</sup> The method of claim ~~146~~, wherein said composition retaining at least about 60% of said retinoid after 13 weeks storage at 40°C.

~~155.~~ <sup>16</sup> The method of claim ~~146~~, wherein the pH of said composition is between about 4 to about 7.

~~156.~~ <sup>16</sup> The method of claim ~~146~~, wherein said oil phase and said water phase are each heated until all of the ingredients of said phases are substantially liquefied.

~~157.~~ <sup>16</sup> A method of claim ~~146~~, wherein:

- (a) the preparation of the oil phase comprises heating the oil phase to above about 40°C;
- (b) the preparation of the water phase comprises heating the water phase to above about 40°C; and
- (c) the emulsion formed by combining the oil phase and the water phase is allowed to cool prior to the addition of the retinoid.

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158. The method of claim 157, wherein said water phase is heated to above 75°C, said oil phase is heated to above about 80°C, and said retinoid is added after the emulsion has cooled to below about 53°C.

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159. The method of claim 146, further comprising the step of inserting said emulsion into containers in the presence of argon.

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160. The method of claim 159, wherein said container is a capped tube.

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161. The method of claim 146, wherein said emulsion is a water-in-oil emulsion.

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162. The method of claim 146, wherein the stabilizing system comprises a chelating agent and at least one water-soluble antioxidant.

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163. The method of claim 162, wherein said water-soluble antioxidant is selected from the group consisting of ascorbic acid, sodium sulfite, sodium metabisulfite, sodium bisulfate, sodium thiosulfite, sodium formaldehyde sulfoxylate, isoascorbic acid, thioglycerol, thiosorbitol, thiourea, thioglycolic acid, cysteine hydrochloride, 1,4-diazobicyclo-(2,2,2)-octane and mixtures thereof.

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164. The method of claim 162, wherein said chelating agent is selected from the group consisting of ethylenediamine tetracetic acid and derivatives and salts thereof, dihydroxyethyl glycine, citric acid, tartaric acid, and mixtures thereof.

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165. The method of claim 146, wherein the stabilizing system comprises a chelating agent and at least one oil-soluble antioxidant.

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166. The method of claim 165, wherein said oil-soluble antioxidant is selected from the group consisting of butylated hydroxytoluene, ascorbyl palmitate, butylated

hydroxyanisole, alpha-tocopherol, phenyl-alpha-naphthylamine, hydroquinone, propyl gallate, nordihydroguaiaretic acid, and mixtures thereof.

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~~167.~~ <sup>35</sup> The method of claim ~~166~~, wherein said chelating agent is selected from the group consisting of ethylenediamine tetracetic acid and derivatives and salts thereof, dihydroxyethyl glycine, citric acid, tartaric acid, and mixtures thereof.

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~~168.~~ <sup>35</sup> The method of claim ~~165~~, wherein the stabilizing system further comprises at least one water-soluble antioxidant.

*Amended*  
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~~169.~~ <sup>38</sup> The method of claim ~~168~~, wherein said water-soluble antioxidant is selected from the group consisting of ascorbic acid, sodium sulfite, sodium metabisulfite, sodium bisulfate, sodium thiosulfite, sodium formaldehyde sulfoxylate, isoascorbic acid, thioglycerol, thiosorbitol, thiourea, thioglycolic acid, cysteine hydrochloride, 1,4-diazobicyclo-(2,2,2)-octane and mixtures thereof.

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~~170.~~ <sup>35</sup> The method of claim ~~165~~, wherein one or more of steps (1), (2) and (3) are performed in an oxygen depleted atmosphere.

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~~171.~~ <sup>35</sup> The method of claim ~~168~~, wherein each of steps (1), (2) and (3) are performed in an oxygen depleted atmosphere.

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~~172.~~ <sup>35</sup> The method of claim ~~165~~, wherein the retinoid is retinol.

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~~173.~~ <sup>35</sup> The method of claim ~~165~~, wherein the oxygen depleted atmosphere is obtained by operating under vacuum conditions.

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~~174.~~ <sup>35</sup> The method of claim ~~165~~, wherein the oxygen depleted atmosphere comprises argon or nitrogen.

I ~~45~~ ~~35~~  
~~175.~~ The method of claim ~~165~~, wherein the oxygen depleted atmosphere comprises argon.

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~~176.~~ The method of claim ~~165~~, wherein the retinoid is added to the emulsion in the absence of ultraviolet light.

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~~177.~~ The method of claim ~~165~~, wherein said composition retaining at least about 60% of said retinoid after 13 weeks storage at 40°C.

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~~178.~~ The method of claim ~~165~~, wherein the pH of said composition is between about 4 to 7.

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~~179.~~ The method of claim ~~165~~, wherein said oil phase and said water phase are each heated until all of the ingredients of said phases are substantially liquefied.

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~~180.~~ A method of claim ~~165~~, wherein:  
(a) the preparation of the oil phase comprises heating it to above about 40°C;  
(b) the preparation of the water phase comprises heating it to above about 40°C; and  
(c) the emulsion formed by combining the oil phase and the water phase is allowed to cool prior to the addition of the retinoid.

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~~181.~~ The method of claim ~~180~~, wherein said water phase is heated to above 75°C, said oil phase is heated to above about 80°C, and said retinoid is added after the emulsion has cooled to below about 53°C.

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~~182.~~ The method of claim ~~165~~, further comprising the step of inserting said emulsion into containers in the presence of argon.

~~53~~ ~~52~~  
~~183.~~ The method of claim ~~182~~, wherein said container is a capped tube.

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~~184.~~ The method of claim ~~165~~, wherein said emulsion is a water-in-oil emulsion.

~~53~~ 185. The method of claim ~~146~~<sup>16</sup>, wherein the stabilizing system comprises at least one water-soluble antioxidant and at least one oil-soluble antioxidant.

~~56~~ 186. The method of claim ~~185~~<sup>55</sup>, wherein said water-soluble antioxidant is selected from the group consisting of ascorbic acid, sodium sulfite, sodium metabisulfite, sodium bisulfate, sodium thiosulfite, sodium formaldehyde sulfoxylate, isoascorbic acid, thioglycerol, thiosorbitol, thiourea, thioglycolic acid, cysteine hydrochloride, 1,4-diazobicyclo-(2,2,2)-octane and mixtures thereof.

~~57~~ 187. The method of claim ~~186~~<sup>55</sup>, wherein said oil-soluble antioxidant is selected from the group consisting of butylated hydroxytoluene, ascorbyl palmitate, butylated hydroxyanisole, alpha-tocopherol, phenyl-alpha-naphthylamine, hydroquinone, propyl gallate, nordihydroguaiaretic acid, and mixtures thereof.

~~58~~ 188. A method for manufacturing an emulsion skin care composition comprising a water phase, an oil phase, a retinoid selected from the group consisting of Vitamin A alcohol, Vitamin A aldehyde, retinyl acetate, retinyl palmitate and mixtures thereof, and a stabilizing system selected from the group consisting of:

- (i) a stabilizing system comprising a chelating agent and at least one water-soluble antioxidant;
- (ii) a stabilizing system comprising a chelating agent and at least one oil-soluble antioxidant; and
- (iii) a stabilizing system comprising at least one water-soluble antioxidant and at least one oil-soluble antioxidant;

said method comprising the steps of:

- (1) preparing the oil phase including the retinoid and oil-soluble components of the stabilizing system in the presence of an oxygen depleted atmosphere;
- (2) preparing the water phase including water-soluble components of the stabilizing system; and

(3) combining the oil phase and the water phase in the presence of an oxygen depleted atmosphere to form an emulsion skin care composition that comprises an oil phase, a water phase, a retinoid and a stabilizing system.

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~~189.~~ ~~58~~ The method of claim ~~188~~, wherein step (2) is performed in an oxygen depleted atmosphere.

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~~190.~~ ~~58~~ The method of claim ~~188~~, wherein the retinoid is retinol.

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~~191.~~ ~~58~~ The method of claim ~~188~~, wherein the oxygen depleted atmosphere is obtained by operating under vacuum conditions.

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~~192.~~ ~~58~~ The method of claim ~~188~~, wherein the oxygen depleted atmosphere comprises argon or nitrogen.

~~63~~  
~~193.~~ ~~58~~ The method of claim ~~188~~, wherein the oxygen depleted atmosphere comprises argon.

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~~194.~~ ~~58~~ The method of claim ~~188~~, wherein the retinoid is added to the oil phase in the absence of ultraviolet light.

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~~195.~~ ~~58~~ The method of claim ~~188~~, wherein said composition retaining at least about 60% of said retinoid after 13 weeks storage at 40°C.

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~~196.~~ ~~58~~ The method of claim ~~188~~, wherein the pH of said composition is between about 4 to about 7.

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~~197.~~ ~~58~~ The method of claim ~~188~~, wherein said oil phase and said water phase are each heated until all of the ingredients of said phases are substantially liquefied.

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~~198.~~ ~~58~~ A method of claim ~~188~~, wherein:  
(a) the preparation of the oil phase comprises heating it to above about 40°C; and

(b) the preparation of the water phase comprises heating it to above about 40°C.

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The method of claim 188, further comprising the step of inserting said emulsion into containers in the presence of argon.

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The method of claim 189, wherein said container is a capped tube.

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The method of claim 188, wherein said emulsion is a water-in-oil emulsion.

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The method of claim 188, wherein the stabilizing system comprises a chelating agent and at least one water-soluble antioxidant.

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The method of claim 202, wherein said water-soluble antioxidant is selected from the group consisting of ascorbic acid, sodium sulfite, sodium metabisulfite, sodium bisulfate, sodium thiosulfite, sodium formaldehyde sulfoxylate, isoascorbic acid, thioglycerol, thiosorbitol, thiourea, thioglycolic acid, cysteine hydrochloride, 1,4-diazobicyclo-(2,2,2)-octane and mixtures thereof.

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The method of claim 202, wherein said chelating agent is selected from the group consisting of ethylenediamine tetracetic acid and derivatives and salts thereof, dihydroxyethyl glycine, citric acid, tartaric acid, and mixtures thereof.

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The method of claim 188, wherein the stabilizing system comprises a chelating agent and at least one oil-soluble antioxidant.

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The method of claim 205, wherein said oil-soluble antioxidant is selected from the group consisting of butylated hydroxytoluene, ascorbyl palmitate, butylated hydroxyanisole, alpha-tocopherol, phenyl-alpha-naphthylamine, hydroquinone, propyl gallate, nordihydroguaiaretic acid; and mixtures thereof.



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~~207.~~ <sup>75</sup> The method of claim ~~205~~, wherein said chelating agent is selected from the group consisting of ethylenediamine tetracetic acid and derivatives and salts thereof, dihydroxyethyl glycine, citric acid, tartaric acid, and mixtures thereof.

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~~208.~~ <sup>75</sup> The method of claim ~~205~~, wherein the stabilizing system further comprises at least one water-soluble antioxidant.

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~~209.~~ <sup>78</sup> The method of claim ~~208~~, wherein said water-soluble antioxidant is selected from the group consisting of ascorbic acid, sodium sulfite, sodium metabisulfite, sodium bisulfate, sodium thiosulfite, sodium formaldehyde sulfoxylate, isoascorbic acid, thioglycerol, thiosorbitol, thiourea, thioglycolic acid, cysteine hydrochloride, 1,4-diazobicyclo-(2,2,2)-octane and mixtures thereof.

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~~210.~~ <sup>75</sup> The method of claim ~~205~~, wherein step (2) is performed in an oxygen depleted atmosphere.

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~~211.~~ <sup>75</sup> The method of claim ~~205~~, wherein the retinoid is retinol.

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~~212.~~ <sup>75</sup> The method of claim ~~205~~, wherein the oxygen depleted atmosphere is obtained by operating under vacuum conditions.

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~~213.~~ <sup>75</sup> The method of claim ~~205~~, wherein the oxygen depleted atmosphere comprises argon or nitrogen.

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~~214.~~ <sup>75</sup> The method of claim ~~205~~, wherein the oxygen depleted atmosphere comprises argon.

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~~215.~~ <sup>75</sup> The method of claim ~~205~~, wherein the retinoid is added to the emulsion in the absence of ultraviolet light.

~~86~~ ~~216~~. The method of claim ~~205~~, wherein said composition retaining at least about 60% of said retinoid after 13 weeks storage at 40°C.

~~87~~ ~~217~~. The method of claim ~~205~~, wherein the pH of said composition is between about 4 to about 7.

~~88~~ ~~218~~. The method of claim ~~205~~, wherein said oil phase and said water phase are each heated until all of the ingredients of said phases are substantially liquefied.

~~89~~ ~~219~~. A method of claim ~~205~~, wherein:

- (a) the preparation of the oil phase comprises heating it to above about 40°C; and
- (b) the preparation of the water phase comprises heating it to above about 40°C.

~~90~~ ~~220~~. The method of claim ~~205~~, further comprising the step of inserting said emulsion into containers in the presence of argon.

~~91~~ ~~221~~. The method of claim ~~220~~, wherein said container is a capped tube.

~~92~~ ~~222~~. The method of claim ~~205~~, wherein said emulsion is a water-in-oil emulsion.

~~93~~ ~~223~~. The method of claim ~~188~~, wherein the stabilizing system comprises at least one water-soluble antioxidant and at least one oil-soluble antioxidant.

~~94~~ ~~224~~. The method of claim ~~223~~, wherein said water-soluble antioxidant is selected from the group consisting of ascorbic acid, sodium sulfite, sodium metabisulfite, sodium bisulfate, sodium thiosulfite, sodium formaldehyde sulfoxylate, isoascorbic acid, thioglycerol, thiosorbitol, thiourea, thioglycolic acid, cysteine hydrochloride, 1,4-diazobicyclo-(2,2,2)-octane and mixtures thereof.

~~95~~ ~~225~~. The method of claim ~~223~~, wherein said oil-soluble antioxidant is selected from the group consisting of butylated hydroxytoluene, ascorbyl palmitate, butylated hydroxyanisole,

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I alpha- tocopherol, phenyl-alpha-naphthylamine, hydroquinone, propyl gallate,  
nordihydroguaiaretic acid, and mixtures thereof.

226. An emulsion skin care composition made by the method of claim 146.

227. An emulsion skin care composition made by the method of claim 188.